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2 UNITED STATES DISTRICT COURT FOR THE  
3 WESTERN DISTRICT OF WASHINGTON  
4 AT SEATTLE

5 BONTA, LLC,

6 *Plaintiff,*

7 v.

8 CITY OF MARYSVILLE, a municipal  
9 corporation,

10 *Defendants,*

CASE NO. 2:18-cv-01544-BJR

ORDER GRANTING PLAINTIFF'S  
MOTION FOR RECONSIDERATION

11  
12 **ORDER**

13 Before the Court is a motion for reconsideration brought by Plaintiff Bonta, LLC. Dkt.  
14 No. 42. On November 14, 2019, this Court granted Defendant City of Marysville's motion for  
15 summary judgment and dismissed Plaintiff's federal constitutional claims. Dkt. No. 40 at 5–13.  
16 In its Order, the Court declined to exercise supplemental jurisdiction over Plaintiff's state law  
17 claims against Defendant and dismissed those claims without prejudice. *Id.* at 13–14.


18 In its motion, Plaintiff does not ask the Court to reconsider dismissal of its federal claims,  
19 but requests that the Court remand Plaintiff's state law claims to the state court from which this  
20 case was removed. Dkt. No. 42 at 1–2. The parties dispute the extent to which failure to remand  
21 raises a statute of limitations problem.

22 While it is true that motions for reconsideration are disfavored, Local Rules W.D. Wash.  
23 LCR 7(h)(1), the choice to remand pendent state law claims is within the District Court's  
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1 discretion, *see Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 351 (1988); *see also Harrell v.*  
2 *20th Century Ins. Co.*, 934 F.2d 203, 205 (9th Cir. 1991); *Koontz Coal. v. City of Seattle*, No. 14-  
3 0218, 2014 WL 5384434, at \*7 (W.D. Wash. Oct. 20, 2014) (“The decision whether to remand to  
4 state court is in the court's discretion”).

5       Upon reconsideration, the Court determines that remand is appropriate given that this  
6 matter originated in state court. As such, the Court hereby GRANTS Bonta’s motion for  
7 reconsideration and REMANDS Plaintiff’s state law claims to the Snohomish County Superior  
8 Court.  
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11 DATED this <sup>th</sup>19 day of December, 2019.

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14 BARBARA J. ROTHSTEIN  
15 UNITED STATES DISTRICT JUDGE  
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